

Remarks

This Response is accompanied by a Declaration of prior invention under Rule 131 which is respectfully submitted as being effective to remove from consideration the Examiner's newly discovered primary reference, Lu et al U.S. Patent 6,778,984. For the reasons given there, it is respectfully submitted that there is no proper rejection on art and that the application should proceed to consideration of the 35 USC 112 rejections alone.

As was pointed out in the Brief on Appeal which immediately preceded the action to which this is a response, the present invention describes in particular a database of rules. The rules are defined as being of two types – "Almost Exact Rules" and "Other Rules". Almost Exact Rules are defined in a discussion of definitions of terminology which begins on page 6 of the present application text at line 16 and continues through page 8 at line 18. As was done for the Board, the attention of the Examiner is respectfully directed to this discussion, as it is significant to the invention claimed.

As stated in that discussion, if the range of values in a component of a rule is exactly one value, then that component of the rule is called an "exact component". If all the components of a rule are exact, then the rule is called an "exact rule" (specification page 7, line 11). It can happen that some rules have ranges of values on only one component of a key. The example given is that there may be a thousand rules in which every component is exact except for the Destination Port number in every rule (specification page 8, line 4). This thousand rules form a set of "almost exact rules". Rules other than those in such a set are "other rules".

These definitions in the descriptive specification are respectfully submitted as setting forth clear and consistent metes and bounds of the terms in the claims, sufficient to enable anyone skilled in the applicable arts to apply the definitions and know with certainty whether an implementation or embodiment falls within or without the scope of the claims here submitted for allowance. Should the

Examiner contest this position, it is respectfully requested that the Examiner explain at greater length precisely how the definitions in the specification leave indefiniteness in the claims.

Two claims – 5 and 27 – have been amended to provide greater clarity in response to the Examiner's position that the presence of certain words leads to indefiniteness.

Reconsideration and allowance are respectfully solicited.

Respectfully submitted,

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